
HOUSE BILL No. 1430

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-110; IC 9-19-1-5.5; IC 9-21-0.5; IC 9-25-4-7; IC 9-26-2.

Synopsis: Proof of motor vehicle financial responsibility. Makes it a Class C infraction for an operator of a motor vehicle who is: (1) stopped by a law enforcement officer for a moving traffic offense; or (2) involved in an accident investigated by a law enforcement officer that results in death, injury, or property damage of at least \$1,000; to fail to submit to the officer proof of financial responsibility regarding the motor vehicle. Requires a law enforcement officer who investigates a motor vehicle accident that results in personal injury, death, or property damage of at least \$1,000 to submit certain information, if possible, concerning proof of financial responsibility information to the state police department. Requires the bureau of motor vehicles to adopt rules concerning proof of financial responsibility. Makes conforming amendments.

Effective: Upon passage; July 1, 2007.

Ulmer

January 16, 2007, read first time and referred to Committee on Insurance.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1430

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-110 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 110. "Moving traffic
3 offense", for purposes of **IC 9-19-1-5.5**, **IC 9-21-0.5-1**, IC 9-25-9-1,
4 and IC 9-30-3-14, has the meaning set forth in IC 9-30-3-14(a).

5 SECTION 2. IC 9-19-1-5.5 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2007]: **Sec. 5.5. (a) A person who is stopped by a law enforcement**
8 **officer for a moving traffic offense in violation of this article must**
9 **show proof of financial responsibility to the law enforcement**
10 **officer in the manner required under IC 9-25-4-7.**

11 **(b) A person who violates this section commits a Class C**
12 **infraction.**

13 SECTION 3. IC 9-21-0.5 IS ADDED TO THE INDIANA CODE
14 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2007]:

16 **Chapter 0.5. Requirement to Show Proof of Financial**
17 **Responsibility**

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Sec. 1. A person who is stopped by a law enforcement officer for a moving traffic offense in violation of:

- (1) IC 9-21-5;
- (2) IC 9-21-6;
- (3) IC 9-21-7;
- (4) IC 9-21-8;
- (5) IC 9-21-9;
- (6) IC 9-21-10;
- (7) IC 9-21-12;
- (8) IC 9-21-13; or
- (9) IC 9-21-14;

must show proof of financial responsibility to the law enforcement officer in the manner required under IC 9-25-4-7.

Sec. 2. A person who violates this chapter commits a Class C infraction.

SECTION 4. IC 9-25-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. Proof of financial responsibility when required under IC 9-19-1-5.5, IC 9-21-0.5-1, this article, or IC 9-26-2-1.5 may be given by any of the following methods:

- (1) Proof that a policy or policies of motor vehicle liability insurance have been obtained and are in full force and effect.
- (2) Proof that a bond has been duly executed.
- (3) Proof that deposit has been made of money or securities.

The bureau shall adopt rules under IC 4-22-2 to determine the manner in which proof of financial responsibility must be shown by an operator of a motor vehicle when required under IC 9-19-1-5.5, IC 9-21-0.5-1, this article, or IC 9-26-2-1.5.

SECTION 5. IC 9-26-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1.5. (a) A law enforcement officer performing an investigation under section 1 of this chapter shall request proof of financial responsibility with respect to each vehicle involved in the accident. The operator of each motor vehicle involved in the accident must furnish proof of financial responsibility to the law enforcement officer if the operator is physically capable of furnishing the proof.

(b) A motor vehicle operator who fails to show proof of financial responsibility in the manner required under IC 9-25-4-7 to a law enforcement officer upon request under subsection (a) commits a Class C infraction.

SECTION 6. IC 9-26-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. A law enforcement officer shall

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forward a written report of each accident investigated under section 1 of this chapter to the state police department within twenty-four (24) hours after completing the investigation. The report must contain, if possible, the following information:

(1) The name and address of the owner and operator of each vehicle involved in the accident.

(2) The license number and description of each vehicle involved in the accident.

(3) The time and place the accident occurred.

(4) The name and address of each person injured or killed in the accident.

(5) The name and address of each witness to the accident.

(6) Proof of financial responsibility pertaining to the operator and, if different, the owner of each vehicle involved in the accident, as furnished by the operator of each vehicle.

SECTION 7. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 9-25-4-7, as amended by this act, the bureau of motor vehicles shall determine the manner in which proof of financial responsibility must be shown by an operator of a motor vehicle when required under IC 9-19-1-5.5, IC 9-21-0.5-1, or IC 9-26-2-1.5, all as added by this act, or IC 9-25 under interim written guidelines approved by the commissioner of the bureau of motor vehicles.

(b) The interim written guidelines approved and used under this SECTION expire on the earlier of the following:

(1) The date rules are adopted under IC 9-25-4-7, as amended by this act.

(2) December 31, 2008.

SECTION 8. An emergency is declared for this act.

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